

Annual 47 C.F.R. § 64.2009(e) CPNI Certification Template**EB Docket 06-36**

Received & Inspected

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FCC Mail Room

Annual 64.2009(e) CPNI Certification for [2016] covering the prior calendar year [2015]

1. Date filed: [10/19/2016]
2. Name of company(s) covered by this certification: [Falcon Broadband, Inc.]
3. Form 499 Filer ID: [825180]
4. Name of signatory: [Ben Kley]
5. Title of signatory: [General Manager]
6. Certification:

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I, Ben Kley, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. [NOTE: If you reply in the affirmative, provide an explanation of any actions taken against data brokers.]

The company have not received customer complaints in the past year concerning the unauthorized release of CPNI [NOTE: If you reply in the affirmative, provide a summary of such complaints. This summary must include the number of complaints, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.]

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed  [Signature of an officer, as agent of the carrier]

Attachments: Accompanying Statement explaining CPNI procedures
Explanation of actions taken against data brokers (if applicable)
Summary of customer complaints (if applicable)

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Attachment A

Falcon has taken necessary steps to be in compliance with CPNI. These steps include upgrading our OSS platform to support the required customer information data, direct mailing all customers informing them of their rights & soliciting alternate authentication information, establishing CPNI compliance officers and training of Falcon's CSR staff.

Falcon Broadband has instituted the following guidelines/procedures to safeguard company information:

1. Recordkeeping. Falcon Broadband's 3rd party OSS & Billing software is CPNI compliant. All expired paper records are destroyed by a certified vendor.
2. Training and Discipline. Falcon Broadband trains its customer support staff to what CPNI is and when they are and are not authorized to use CPNI. Disciplinary procedures are in place to address what happens when an employee fails to follow CPNI rules and procedures.
3. Marketing Campaigns. Falcon Broadband maintains a record of its own and any affiliates' sales and marketing campaigns that use Falcon Broadband's customers' CPNI. Falcon Broadband maintains a record of all instances where it disclosed CPNI or provided CPNI to third parties, or where third parties were allowed access to CPNI. These records contain a description of each marketing campaign, the specific CPNI that was used in the campaign and what products and services were offered as part of the campaign. Falcon Broadband retains these records for a minimum of one year.
4. Supervisory Review Process. Falcon Broadband's management approves all marketing campaigns that use CPNI and has a supervisory review process regarding compliance with rules for those marketing campaigns and maintain records of such compliance for a minimum of one year.
5. Compliance Certificates. Falcon Broadband, on an annual basis provides the following:
 - a. An officer signs a compliance certificate stating that the officer has personal knowledge that your company has established operating procedures that are adequate to ensure compliance with the rules.
 - b. Provides a statement accompanying the certificate explaining how your operating procedures ensure that you are in compliance with the rules.

The annual compliance certificate and the accompanying statement are available for public inspection..

6. Notice to FCC When Opt-Out Mechanisms Don't Work Properly. If Falcon Broadband discovers or determines that its opt-out mechanisms do not work properly, to "such a degree that a consumer's inability to opt-out is more than an anomaly" Falcon Broadband

will notify the FCC by written letter within five business days. The letter will include carrier name, a description of the opt-out mechanism, the problem(s) experienced, the remedy proposed, and when it will be or was implemented, whether Falcon Broadband has notified the IUB and whether it has taken any action, a copy of the notice sent to Falcon Broadband's customers, and Falcon Broadband's contact information.